



DT02 Rec'd PCT/PTO 10 JAN 2005

PATENT

ATTORNEY DOCKET NO.: 056646-5053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shik Chi TSANG, et al.)
U.S. Application No.: 10/500,842) Group Art Unit: Unassigned
International Appln. Filing Date: January 7, 2003)
Date of National Stage Entry: July 7, 2004) Examiner: Unassigned
For: MICROPARTICLES AND METHODS OF THEIR PRODUCTION

Commissioner of Patents
MAIL STOP PCT

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed November 30, 2004.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

01/12/2005 LLANDGRA 00000094 500310 10500842

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6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

	<u>Total Months Requested</u>	<u>Extension Fee</u>	<u>Extension Fee [Small Entity]</u>
<input type="checkbox"/>	One month	\$120.00	\$60.00
<input type="checkbox"/>	Two months	\$450.00	\$225.00
<input type="checkbox"/>	Three months	\$1,020.00	\$510.00
<input type="checkbox"/>	Four months	\$1,590.00	\$795.00
<input type="checkbox"/>	Five months	\$2,160.00	\$1,080.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is:	Completion Fees	<u>\$421.00</u>
	Assignment Fees	<u>\$0.00</u>
	Total Fee Due	<u>\$421.00</u>

- ☒ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.

3. English Translation of Non-English Language Papers

☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

☐ Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

☐ Applicant(s) hereby assert small entity status.

5. Fee Calculation

			Basic National Stage Fee:	
			\$300.00	\$300.00
	Number Filed	Number Extra	at a Rate of	
Total Claims	34-20 =	14	\$50.00 each=	+\$700.00
Independent Claims	4- 3 =	1	\$200.00 each=	+\$200.00
Multiple dependent claim(s), if any			\$360.00	+\$360.00
Missing Requirements Surcharge Fee			\$130.00	+\$130.00
Application Size Fee \$250.00 for each additional 50 sheets that exceeds 100				\$
Application Search Fee			\$500.00	+\$500.00
Examination Fee			\$200.00	+\$200.00
SUB-TOTAL =				\$2390.00
Reduction for small entity filing				+\$1195.00
Reduction for filing fee previous paid on July 7, 2004				- \$774.00
TOTAL FILING FEE =				\$421.00


- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- ☐ Form PCT/IPEA/409 (English Translation)
☐ Preliminary Amendment
☐ PCT/IB/338 English translation of the International preliminary Examination Report
☐ Information Disclosure Statement
☐ Form PTO-1449, documents as listed
☐ Declaration of Biological Deposit
☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Paul N. Kokulis, Reg. No. 16,773

Date: January 10, 2005

Customer No. 09629

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,842	Shik Chi Tsang	056646-5023

INTERNATIONAL APPLICATION NO.

PCT/GB03/00029

IA. FILING DATE	PRIORITY DATE
01/07/2003	01/07/2002

09629

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CONFIRMATION NO. 8744

371 FORMALITIES LETTER



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DEC 08 2004

Date Mailed: 11/30/2004

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/07/2004
- Copy of the International Search Report filed on 07/07/2004
- Preliminary Amendments filed on 07/07/2004
- Information Disclosure Statements filed on 07/07/2004
- U.S. Basic National Fees filed on 07/07/2004
- Priority Documents filed on 07/07/2004

Docketed 12/3/04 Attorney PNK
Case 56646-5053
Due Date 1/30/05
Action Missing Requirements
By Leek PSD

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,842	PCT/GB03/00029	056646-5023

FORM PCT/DO/EO/905 (371 Formalities Notice)